PATENT APPLICATION

01807 001743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Examiner: R. Stevens BERTRAND BERTHELOT, et al.) Group Art Unit: 2162 Application No.: 09/942,569) Confirmation No. 9399) Filed: August 31, 2001 For: METHOD AND DEVICE FOR) ADAPTING THE CONTENT OF DOCUMENTS ON AN INFORMATION SERVER December 22, 2008

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-145

> PETITION TO WITHDRAW ABANDONMENT DUE TO NON-RECEIPT OF OFFICE ACTION AND REOUEST FOR RE-MAILING OF OFFICE ACTION

Sir:

Applicant has received a Notice of Abandonment dated November 21, 2008 indicating that the above application became abandoned because no response has been filed to an Office Action allegedly mailed by the Patent Office on April 16, 2008. For the reasons that follow, Applicant requests that the Notice of Abandonment be withdrawn and that the Office Action be re-mailed.

The Notice indicates that a Final Office Action was mailed by the Office on April 16, 2008. However, the foregoing Office Action was not received by Applicant's attorneys. As per the firm's usual procedure for Patent Office correspondence in which a response is due, had the Office Action been received, it would have been docketed on the

firm's Master Docket with a response due date of July 16, 2008. The firm's Master Docket

is part of a computer program supplied by Computer Patent Annuities (CPA) and in

particular, the firm utilizes CPA's CPA Inprotech program to manage its docket of due

dates for Patent Office responses. This system was sufficiently reliable, and as evidence

thercof, a copy of the Applicant's attorneys' Master Docket for July 16, 2008 where a

response to the Office Action would have been entered had the Office Action been

received is attached. See MPEP 711.03(c)(I)(A).

In view of the foregoing, Applicants request that the holding of

abandonment be withdrawn and that the April 16, 2008 Office Action bc re-mailed. While

it is believed that no fee is necessary for this Pctition, should a fee be required, the Director

is hereby authorized to charge any such fee to Deposit Account No. 50-3939.

Applicants' undersigned attorney may be reached in our Costa Mesa,

California office by telephone at (714) 540-8700. All correspondence should continue to

be directed to our address given below.

Respectfully submitted,

/Edward Kmctt/

Edward A. Kmett

Attorney for Applicants Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza

New York, New York 10112-3800

Facsimile: (212) 218-2200

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Due Date	Due Date Docket Number	Attorney	Action	Application No
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7/16/2008	Krause, John A	3 month Office Action initial deadline	10/887849
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7/16/2008 Remarks	03762.016900.PC EP Application No. 06784 11/15/07;	Howacz, Elizabeth F. 1794.7 Motted into international pa	03762.016900.PC Holyaca, Elizabeth F. Rec'd copy of published patent specification - R US06.22876 EP Application No. 06784794.7 Adopted into international patent application per communication dated 11/5/07, Received from (Marisol A) 11/15/07;	R US06/22876 sceived from (Marisol A)
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